



# Cascade County Special Use Permit (SUP) Application

Cascade County Public Works Department  
Planning Division  
121 4<sup>th</sup> St No, STE 2H/I, Great Falls MT 59401  
Phone: 406-454-6905 Fax: 406-454-6919

**Site Plan  
Requirements  
On Back**

**\$450.00 Non Refundable Application Fee**

**Payment: Check (#) \_\_\_\_\_ Cash \_\_\_\_\_**

## OFFICE USE ONLY

Date Application Received: _____	Floodplain Permit (Attached):	(Y / N / N/A)
Application No.: _____	Variance Approval (Attached):	(Y / N / N/A)
	County Approach Permit (Attached):	(Y / N / N/A)
	Health Dept. Approval (Attached):	(Y / N / N/A)
Approved Permit No.: _____	Addressing Approval (Attached):	(Y / N / N/A)
	Red Yellow Green (Development Coordination Map)	____ / ____ / ____
Date of Final Approval: _____	Date of Zoning Board of Adjustment Public Hearing	____ / ____ / ____
	Approved by (Staff): _____	

**Applicant/Agent:** Gordon Lapke **Mailing Address:** PO Box 111

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ **Cell Phone:** 406-899-8010

**Owner(s) if different from applicant:** Lapke Construction LLC **Mailing Address:** PO Box 111

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_ **Cell Phone:** 406-899-8010

**Property Address:** 130 Walker St., Simms, MT 59477 Sec \_\_\_\_\_ T \_\_\_\_\_ R \_\_\_\_\_

Lot(s) \_\_\_\_\_ Blk \_\_\_\_\_ **Geo Code:** 02-3009-13-1-07-05-0000 **Parcel #** \_\_\_\_\_

**Structure Permit Issued For:** \_\_\_\_\_ **Current Zoning:** Mixed Use

OR

**Change of Use Permit Issued For:** MULTI-FAMILY DWELLING OR DUPLEX IN MIXED USE DISTRICT

Type of Improvement:

- |   |  |   |
|---|--|---|
| <input checked="" type="checkbox"/> Residential Structure, Multi/Single | <input type="checkbox"/> Open-cut Mining Operation         | <input type="checkbox"/> Shop/Shed      |
| <input type="checkbox"/> Public Entity                                  | <input type="checkbox"/> Warehouse                         | <input type="checkbox"/> Office         |
| <input type="checkbox"/> Utility Installation, Minor/Major              | <input type="checkbox"/> Commercial/Agricultural in Nature | <input type="checkbox"/> Retail         |
| <input type="checkbox"/> Membership Club                                | <input type="checkbox"/> Commercial Storage Facility       | <input type="checkbox"/> Industrial Use |

**Square Feet of Proposed Structure/Addition:** 3,270 s.f. **Total Land Area Acres:** .68

**Type of Water Supply:** Well **Type of Sewage Disposal:** City Sewer System

## INSTRUCTIONS:

The Permit Application Form shall be submitted to the Cascade County Planning Office for review. The applicant shall obtain all required permits/forms as part of the permitting process:

- If your property is in a regulated floodplain, a Floodplain Permit must be obtained first from the Planning Office.
- If an approach to the property is from a county road, an Approach Permit is needed from the Cascade County Public Works Road and Bridge Division. If an approach will be off a state highway, an Approach Permit is needed from the State of Montana Department of Transportation.
- If your property needs an assigned address, contact from the Cascade County Public Works GIS Division for an address application.
- If your property needs a wastewater management permit, you must obtain a septic system permit from the City County Health Department (<http://www.cchdmt.org/environmental-health/>).
- All projects that disturb an acre or more are required to have a "General Permit for Storm Water Discharges Associated with Construction Activity" from the MT Department of Environmental Quality (<http://deq.mt.gov/Water/WPB/wpbfirms>).

## SITE PLAN REQUIREMENTS : **(PERMITS WILL NOT BE ISSUED WITHOUT AN ACCURATE SITE PLAN)**

Provide a complete site plan at a suitable scale (1" = 40', 1" = 100', etc) which includes the following, as applicable:

Required	Obtained	Submission Checklist
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Written Statement to Describe Project: Provide a detailed write-up on the type and purpose of the proposed use or business. Describe the products or services provided and the operation hours, provide the number of employees, anticipated customers and traffic, etc..</b>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<b>Location of proposed structures, alterations, curb cuts, access points and utilities and the size, dimensions and uses thereof</b>
<input type="checkbox"/>	<input type="checkbox"/>	Existing land use(s) on adjacent property
<input type="checkbox"/>	<input type="checkbox"/>	Disturbing one (1) acre or more; if yes, attach DEQ "General Permit for Storm Water Discharges Associated with Construction Activity".
<input type="checkbox"/>	<input type="checkbox"/>	Location, size, dimensions and number of off-street parking spaces, including on-site vehicular driveways and type of surface improvements (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Location and type of existing and proposed landscaping or buffering (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Location, type and height of existing and proposed fencing and/or screening (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Location, type and height of sight-obscuring improvement surrounding areas of storage for raw materials, finished products, machinery and equipment (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	Completed Operational Statement Checklist (if applicable)

I. **General Information for Applicants**

- A. **Understanding the Regulations:** First, the proposed use must be specifically mentioned as a category in Uses Permitted Upon Issuance of a Special Use Permit within Section 7 of the Cascade County Zoning Regulations. Portions of the County Zoning Map and the Zoning Regulations are available at the Cascade County Website at <http://departments.cascadecountymt.gov/planning>.

II. **Steps of the Application Process**

- A. Schedule a Pre-Application meeting with planners to ensure the project will meet the standards for Special Use Permits as outlined within Section 7 of Cascade County's Zoning Regulations.
- B. Complete, sign and return a Special Use Permit application and Special Use Permit Checklist, with the \$450.00 application fee to Planning Staff.
- Site plans, diagrams, business plans, operational statement checklist, photographs and other documents may be requested as part of a complete application, depending on the applicant's proposal.
- C. Planning Staff will notify interested agencies of the proposed project to request comments for the application.
- D. Planning Staff will schedule a public hearing before the *Cascade County Zoning Board of Adjustment*; Legal notice will be published twice in the Great Falls Tribune (at least six (6) days separating each publication) and sent by certified mail to all adjacent landowners.
- Planning Staff will present the application to the Zoning Board of Adjustment along with recommendations, based on findings of facts.
- The *Zoning Board of Adjustment* will make a determination on the application; three (3) affirmative votes are needed to issue the permit.
- E. Upon written notice from the Planning Staff, the applicant may begin the permitted special use.
- F. Permits may be revoked or expire for the following reasons:
1. The *Zoning Board of Adjustment* finds them in violation of the conditions of the permit or another regulation/ordinance.
  2. Approval is valid for one particular use and shall expire one year after the date of approval, if construction or the use has not started. The Zoning Administrator may grant a one-time only 6 month extension on the Zoning Board of Adjustment Approval.
  3. The Special Use Permit shall expire if the use ceases for six (6) months for any reason. Any future extension requests must be granted by the Zoning Board of Adjustment prior to the date of expiration.

III. **SUP Criteria**

- A. Explain how the proposed use meets all of the required criteria below. ALL CRITERIA MUST BE DISCUSSED. If criteria are not applicable, please explain why. Attach drawings, additional text, site plans, and any other documents that will assist staff and the board in reviewing the proposed use. The more information you can provide, the easier it is for staff and the *Zoning Board of Adjustment* to review the application.

1. **The proposed development will not materially endanger the public health or safety.**

- a) **Traffic conditions in the vicinity, including the effect of additional traffic on streets and street intersections, and sight lines at street intersections and approaches:**

Traffic conditions in the vicinity should not be effected. Off street parking for the duplex residences are provided. Sight lines may in fact improve with removal of the vegetation that is on site that go directly to the street corner.

- b) **Provision of services and utilities, including sewer, water, electrical, telecommunications, garbage collections, and fire protection:**

Services and utilities are currently on site and are capable of handling a new structure being tied into the systems. No new utilities will need to be installed to the site.

- c) **Soil erosion, sedimentation, and stormwater run-off:**

The use of current vegetation on site and the remaining site area will be used for soil erosion stormwater run-off. A stormwater system is in place as well.

- d) **Protection of public, community, or private water supplies, including possible adverse effects on surface waters or ground water:**

There is no anticipation to compromise the private water supply that exists on site. There is also no concern that it will effect the public water supply.

2. **The proposed development is a public necessity, or will not substantially impact the value of adjoining property.**

- a) **The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.**

There will be no conflicts between the proposed use and the surrounding area. It is in a mixed use zone in a residential area along with an education center (Simms High School).

- b) **Whether the proposed development is so necessary to the public health, safety, and general welfare of the community or County as a whole as to justify it regardless of its impact on the value of adjoining property.**

It is beneficial to the community and county as it creates quality, affordable housing in a rural area next to a school. It is anticipated that it could potentially benefit the value of adjoining property.

3. **The proposed development will be in harmony with the area in which it is located.**

- a) **The relationship of the proposed use and the character of development to surrounding uses and development, including possible conflicts between them and how these conflicts will be resolved.**

The proposed development will be residential and be utilized to provide quality, affordable housing for teachers and school staff members. It will be designed and built to fit the surrounding area as current residences are. It is anticipated that there will be no conflicts.



Goal 2: Protect and maintain Cascade County’s rural character and the community’s historic relationship with natural resource development.

Objectives:

- A. Foster the continuance of agriculture and forestry in recognition of their economic contribution and the intrinsic natural beauty of grazing areas, farmlands and forests.
- B. Preserve Cascade County’s scenic beauty and conserve its forests, rangeland and streams, with their abundant wildlife and good fisheries.
- C. Preserve Cascade County’s open space setting by encouraging new development to locate near existing towns and rural settlements and by discouraging poorly designed, land subdivisions and commercial development.
- D. Assure clean air, clean water, a healthful environment and good community appearance.
- E. Support the development of natural resources including but not limited to timber, mining, oil and gas production and renewable energy production.
- F. Continue to work with federal and state agencies to redevelop properties within Cascade County which are currently undergoing Superfund and Brownfield processes.

See Attached.

Goal 3: Maintain agricultural economy.

Objectives:

- A. Protect the most productive soil types.
- B. Continue to protect soils against erosion.
- C. Protect the floodplain from non-agricultural development.
- D. Support the development of value-added agricultural industry in Cascade County utilizing the products from the regional area.

See Attached.

**Goal 4: Retain the presence of the US Military in Cascade County**

**Objectives:**

- A. Encourage the federal congressional delegation to actively support maintaining the current mission status at a minimum.
  - B. Promote the location of additional military missions in Cascade County.
  - C. Encourage the reactivation of the runway at Malmstrom Air Force Base for fixed wing operations.
  - D. Refer to the Joint Land Use Study for resolving conflicts and promoting mission compatible development.  
See Attached.
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**Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.**

**Objectives:**

- A. Maintain Cascade County's citizens independent lifestyle and minimize local governmental intervention, to the extent possible, consistent with the requirements of a continually evolving economy and constantly changing population.
  - B. Preserve and promote Cascade County's rich cultural heritage, rooted in natural resource development and reflected in its numerous cultural/historic sites and archaeological areas.
  - C. Promote fire prevention measures throughout the county, giving special emphasis to the extreme fire hazards present at the wild land/urban interface.
  - D. Encourage the continued development of educational programs and facilities, recreational opportunities and spaces and health services for all county residents.  
See Attached.
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- b) Consistency with the municipal and joint land use plans incorporated by the Growth Policy.

It has been proposed to allow multi-family dwellings, specific to this project a Duplex, in the Mixed Use zone as part of the Special Use Permit application process. It is believed to meet the goals and objectives of the Cascade County Growth Policy and be consistent to the criteria that has been set forth.

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**ATTEST:** I hereby certify that the information given herein is true and correct to the best of my knowledge. There are no restrictions placed upon my property which would prohibit the issuance of this permit. If there are any restrictions, then this permit shall become null and void. I hereby grant permission to any Cascade County Zoning Official to enter my property to inspect for compliance with the County Zoning Regulations in relation to this application.

Printed Name of Applicant: Gordon Lapke Date: 6-27-18

Signature of Applicant: Gordon Lapke Date: 6-27-18

Printed Name of Property Owner: Gordon Lapke Date: 6-27-18

Signature of Property Owner: Gordon Lapke Date: 6-27-18

**Goal 1: Sustain and strengthen the economic well-being of Cascade County's citizens.**

In regard to goal 1, the proposed zoning amendment to be in general compliance with the growth policy's goal to sustain and strengthen the economic well-being of Cascade County's citizens. Objectives A, B, C, F, G of this goal will be met as the additional proposed use allowed with a Special Use Permit in the Mixed-Use District deal with the economy and business in Cascade County. The economy would be strengthened by adding multi-family dwellings to the Special Use Permit list. It not only provides the opportunity for quality affordable housing to residents but promotes local business due to residents staying in Cascade County because of the affordable housing. This goal does not generally promote objective D, as this zoning amendment for allowed uses is not expected to promote the development of cultural resources and tourism to broaden the economic base.

**Goal 2: Promote and maintain Cascade County's rural character and the community's historic relationship with natural resource development.**

Goal 2 objectives A, B, C, D would apply to the proposed amendment. By the amendment of duplex being added to the Special Use Permit list under the Mixed-Use zoning, it would give Cascade County communities the opportunity the develop housing within the communities themselves. Specifically, regarding objective C, the Special Use Permit process gives jurisdiction to the zoning committee to discourage poor developments and subdivisions.

**Goal 3: Maintain agricultural economy.**

Goal 3 does not directly apply to the proposed amendment. The agricultural economy will be maintained as the development of duplex dwellings would not impede on any agricultural land but within the communities that are zoned as Mixed-Use.

**Goal 4: Retain the presence of the US Military in Cascade County.**

The proposed amendment will not affect any of Goal 4 objectives.

**Goal 5: Preserve and enhance the rural, friendly and independent lifestyle currently enjoyed by Cascade County's citizens.**

Goal 5 objectives A, B, D apply to the proposed amendment. It would promote living in Cascade County because quality housing that is affordable would be available to the residents in Mixed-Use zones, like Simms, MT. Specifically to this project, this amendment would help the local school district retain teachers. The school has had trouble keeping staff due to the lack of quality, affordable housing. They then choose to commute from out of the county. After so long they do not enjoy the commute and decide to leave the school district. This amendment would encourage the continued development of educational programs. Small communities that are zoned as Mixed-Use will be able to retain their teachers and staff to provide quality education to the local children.

It is the intent of this Special Use Permit (SUP) Application to approve the construction of a Duplex in the Mixed Use zone located in Simms, Montana. A Zoning Change Application has recently been approved by the Cascade County Zoning Board to allow Multi-Family Dwellings in the Mixed Use zone through the SUP Application process. This was previously not an option.

The proposed project will be a duplex located in Simms, MT across from the High School. It will create quality and affordable housing in the area for school teachers and staff. It is the goal of the owner to provide this housing to benefit not only the community but the school system. The school district finds it very difficult to retain teachers due to living arrangements. By providing quality housing to School District staff, they can provide that housing to retain staff to provide quality education to the students of Simms High School without continual overturn of teachers. Retaining teachers is the primary goal of this project.